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18 UNITED STATES DISTRICT COURT
19 NORTHERN DISTRICT OF CALIFORNIA
20 SAN FRANCISCO DIVISION

21 UNITED STATES OF AMERICA,
22 Plaintiff,
v.
23 RUTHIA HE, A/K/A/ RUJIA HE, and
DAVID BRODY,
24 Defendants.

) CASE NO. 24-CR-329 CRB
) GOVERNMENT'S MOTION TO ADMIT
) STATEMENTS OF DEFENDANTS UNDER RULE
801(D)(2)
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1 The government respectfully moves to admit the exhibits set forth in the table below, all of
 2 which are admissible as statements of the defendants pursuant to Federal Rule of Evidence 801(d)(2).
 3 The left column sets forth the relevant exhibit numbers, as reflected in the exhibit list submitted to the
 4 Court on September 29, 2025, and the right column sets forth the corresponding category of
 5 communications. The first three rows feature exhibits in which one or both defendants make statements
 6 in their individual capacities, such that the statements are admissible pursuant to Rule 801(d)(2)(A).
 7 The following four rows feature exhibits in which agents or coconspirators at Done make statements on
 8 matters within the scope of the agency relationship and/or in furtherance of the charged conspiracies,
 9 including in conversations with one or both defendants, such that the statements are admissible as
 10 statements of the defendants themselves pursuant to Rules 801(d)(2)(D) and/or Rule 801(d)(2)(E).
 11 While the defendants have not disputed the authenticity of the exhibits under Rule 901(a), the
 12 government now files this motion because the defendants have not stipulated to admissibility despite
 13 multiple efforts by the government since the first week of trial:

Exhibit Nos.	Description
65, 76, 92, 101, 105, 107, 108, 111, 114, 115, 117, 127– 133, 136, 138, 139, 140, 142, 145, 146, 150, 154, 166, 167, 170, 175, 178, 180, 184, 202, 210–212, 227, 229, 241, 243, 244, 245, 253, 265, 268, 271, 285, 287, 290, 292, 308, 310, 328, 333, 340, 346, 347, 352, 361, 371, 375, 376, 381, 386–388, 390, 398, 401, 405, 406, 408, 417, 449, 453, 463, 464, 479, 481, 485, 491, 499, 500, 503, 509, 552, 561, 568, 571, 585, 588, 595, 599, 620, 736, 807, 809, 810, 812, 939	Statements of Defendants He and Brody
2, 4, 5, 6, 8, 9, 10, 13, 14, 15, 17–23, 27–30, 32, 34, 35, 37, 41, 42, 43, 46, 48, 51, 53, 55, 57, 59, 62, 63, 64, 67, 70, 75, 81, 84, 87, 90, 110, 116, 162, 164, 172, 182, 187, 201, 203, 206, 207, 208, 220, 231, 233, 246, 261, 262, 273, 274, 278, 279, 288, 294, 295, 300, 301, 309, 311, 314, 315, 319, 322, 324, 327, 351, 360, 380, 395, 409, 422, 425, 445, 458, 460, 465, 466, 482, 483, 484, 489, 496, 497, 501, 507, 514, 515, 521, 542, 545, 555, 566, 569, 575, 577, 581, 589, 590, 615, 617, 625, 629, 630, 654, 682, 700, 710, 718, 727, 729, 731, 739, 748, 749, 751, 755, 757, 759, 762, 765, 768, 769, 786, 791, 794, 795, 796, 797, 798, 799, 803, 814, 817, 842, 849, 852, 854, 858, 864, 862, 868, 871, 872, 879, 889, 897, 898, 901, 914, 916, 918, 919, 920, 927, 929, 930, 931, 937, 938, 941, 948, 957, 959, 961	Statements of Defendant He
1, 120, 137, 191, 337, 363, 396, 397, 412, 418, 419, 421, 424, 426, 440, 446, 447, 456, 467, 473, 504, 535, 563, 565, 572, 573, 574, 616, 638, 642, 644, 653, 655, 656, 667, 670, 674, 689, 690, 691, 728, 735, 743, 754, 801, 813, 828, 831, 835, 845, 846, 848, 850, 867, 869, 892, 904, 934, 936	Statements of Defendant Brody

1	96, 152, 232, 234, 237, 240, 323, 415, 431, 442, 443, 513, 520, 522, 538, 600, 633, 657, 660, 668, 671, 673, 678, 684, 686, 714, 758, 816, 823, 830, 903	Communications with Defendants He and Brody
3	11, 25, 33, 54, 58, 66, 68, 69, 85, 149, 168, 171, 177, 181, 185, 190, 194, 213, 222, 242, 247, 269, 270, 275, 298, 344, 357, 365, 370, 392, 399, 400, 404, 429, 430, 434, 436, 437, 462, 511, 512, 559, 560, 562, 564, 624, 683, 685, 688, 704, 712, 715, 717, 733, 764, 775, 780, 782, 784, 793, 815, 821, 822, 824, 827, 829, 832, 838, 843, 856, 860, 861, 878, 883, 899, 906, 907, 911, 921, 928, 949, 962	Communications with Defendant He
7	124, 158, 289, 303, 379, 385, 457, 469, 474, 488, 523, 527, 528, 529, 692, 705, 706, 708, 716, 785, 834, 841, 853, 925, 932	Communications with Defendant Brody
14	44, 79, 97, 134, 165, 176, 179, 183, 192, 193, 197, 199, 200, 204, 225, 226, 238, 252, 258, 263, 264, 266, 277, 284, 299, 305, 307, 312, 313, 316, 317, 326, 329, 330, 331, 336, 339, 368, 383, 394, 402, 403, 407, 410, 416, 423, 427, 428, 452, 475, 476, 477, 478, 480, 492, 493, 505, 510, 516, 518, 524, 525, 530, 531, 533, 534, 536, 540, 547, 550, 558, 567, 570, 576, 579, 586, 592, 594, 595, 597, 608, 610, 612, 613, 614, 618, 622, 626, 627, 628, 632, 634, 636, 639, 649, 650, 652, 658, 663, 664, 666, 672, 676, 679, 680, 687, 697, 711, 713, 720, 734, 747, 752, 777, 779, 781, 818, 819, 833, 836, 837, 839, 840, 844, 851, 855, 859, 876, 877, 881, 882, 891, 893, 909, 926, 942, 945, 953, 954, 1413	Statements of Agents and/or Coconspirators

15 DATED: October 19, 2025

Respectfully submitted,

16
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19 LORINDA I. LARYEA
Acting Chief, Fraud Section
U.S. Department of Justice

20 /s/

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Principal Assistant Chief
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Trial Attorney22
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